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CASE LD0284 NP
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| FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10 | |
| EV 305487804 US Express Mail Label Number | January 16, 2004 Date of Deposit |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF
BANDYOPADHYAY ET AL.
APPLICATION NO: 10/055,653
FILED: January 23, 2002
FOR: METHODS OF ADMINISTERING EPOTHILONE ANALOGS FOR THE TREATMENT
OF CANCER

ART UNIT: 1614

Mail Stop: 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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JAN 22 2004
OFFICE OF PETITIONS

PETITION UNDER (37 C.F.R. § 1.313(c))
WITHDRAWAL FROM ISSUE—ISSUE FEE PAID

Sir:

Applicant petitions that the above-identified application be withdrawn from issue. The issue fee was paid on November 3, 2003. Applicant seeks withdrawal from issue of this application so that a Request for Continued Examination (RCE) in compliance with § 1.114, may be considered, as well as an Amendment and Information Disclosure Statement. This paper is being filed concurrently with the RCE Transmittal, the IDS, and the Amendment. The Amendment filed concurrently herewith includes an identification of related application Serial No. 10/051,727. The undersigned seeks withdrawal from issue so that said co-pending application and references cited by the Examiner therein may be considered in the instant application.

The Commissioner is hereby authorized to charge the \$130 petition fee under 37 C.F.R. § 1.17 (h) to Deposit Account No. 19-3880 in the name of Bristol-Myers Squibb Company. The Commissioner is also authorized to charge any additional fees under 37 CFR §1.17 (h) which may be required, or credit any overpayment, to Account No. 19-3880 in the name of Bristol-Myers Squibb Company.

01/21/2004 DTESSEM1 00000104 193880 10055653

01 FC:1460 130.00 DA

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
609 (252-6996)

Date: January 16, 2004

Respectfully submitted,

Anastasia Winslow
Attorney for Applicant
Reg. No. 40,875